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KINNEY & LANGE, P.A.
THE KINNEY & LANGE BUILDING
312 SOUTH THIRD STREET
MINNEAPOLIS, MN 55415-1002

EXAMINER

SHINGLES, KRISTIE D

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,738

Applicant(s)

SHERMAN ET AL.

Examiner

Kristie Shingles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 21-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 21-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

*Applicant has amended claims 1, 5 and 6.
Claims 8-20 have been cancelled. Claims 21-33 are new.
Claims 1-7 and 21-33 are pending.*

Restriction Election

1. The Office acknowledges the receipt of Applicant's restriction election, filed on 7/5/2005. Applicant elects without traverse Group I, Claims 1-7, which are now pending and examined in the instant application. Non-elected claims 8-20 have been cancelled by the applicant and therefore will not be examined.

Claim Objections

2. Per claim 22, objected to because of the following informalities: claim misnumbering—there are two different claim 22's. In the interest of compact prosecution, due to the informality, the Examiner will assume the first claim 22 is the claim 22 referenced by claims 23 and 24. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7, 21, 22, 26[27], 27[28], 28, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Phillips et al* (USPN 6,922,784) in view of *Howard et al* (USPN 6,697,865).

a. Per claim 1, *Phillips et al* teach a system for facilitating team work between people using web-enabled devices on a secure network, the system comprising:

- a database adapted to store user accounts for each person on the secure network, each user account comprising a user name, a password and one or more assigned relationships, each assigned relationship defining sharing permissions between an owner of the user account and one other user, the database for hosting all communications between user on the secure network (col.6 lines 15-33, col.7 line 45-col.8 line 55, col.9 line 45-col.10 line 17); and
- a web-interface for the users to upload information to the database and to share the uploaded information with other users according to the one or more assigned relationships (col.6 line 4-15 and 34-42, col.7 line 25-col.8 line 61, col.11 line 62-col.12 line 8).

Phillips et al teach a database storing user accounts and group assignments (col.6 lines 25-33), yet *Phillips et al* fail to explicitly teach a web-interface for the sharing of uploaded information to other users according to the assigned relationship among users. However, *Howard et al* teach a database that defines the relationships among the user and the rights each user has to use the system (col.1 lines 26-61, col.2 lines 49-55, col.3 lines 4-58, col.5 lines 2-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Phillips et al* and *Howard et al* for the purpose of provisioning the storage of information relative to the users interaction and relationship to

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other users along with the user's access rights for uploading data to the system; because it promotes efficient interaction among the users in the system, wherein each user knows the extent of their access and interaction with other users of the system.

b. **Claims 21 and 28** contain limitations that are substantially similar to claim 1 and are therefore rejected under the same basis.

c. **Per claim 2**, *Phillips et al* and *Howard et al* teach the system of claim 1, *Phillips et al* further teach the system wherein each assigned relationship is hierarchical (col.5 line 65-15, col.7 lines 33-56, col.8 lines 45-61; *Howard et al*: col.3 line 60-col.5 line 5).

d. **Claim 26 [renumbered Claim 27]** is substantially similar to claim 2 and is therefore rejected under the same basis.

e. **Per claim 3**, *Phillips et al* and *Howard et al* teach the system of claim 1, *Howard et al* further teach the system comprising: productivity tools for interfacing with the database, each productivity tool being accessible from a web page (col.2 line 63-col.3 line 6, col.6 lines 15-19; *Phillips et al*: col.6 lines 43-65).

f. **Per claim 4**, *Phillips et al* and *Howard et al* teach the system of claim 1, *Howard et al* further teach the system comprising: a quote server interface for interacting periodically with a quote server, for retrieving financial information from the quote server, and for storing the retrieved financial information in the database (col.2 lines 49-55).

g. **Per claim 6**, *Phillips et al* and *Howard et al* teach the system of claim 1, *Howard et al* further teach the system wherein each user has more than one assigned relationship in the database (col.5 lines 6-50, col.12 lines 3-25).

h. **Per claim 7, *Phillips et al* and *Howard et al*** teach the system of claim 1, *Howard et al* further teach the system wherein the database is used in a corporate network having more than one server, the database for providing a secure collaborative environment within a corporation over a corporate intranet (col.2 lines 34-55, col.3 lines 29-47).

i. **Per claim 22, *Phillips et al* and *Howard et al*** teach the system of claim 21, *Howard et al* further teach the system wherein the user-defined relationships define a team of users that can extend across corporate and geographic boundaries (col.2 line 67-col.3 line 6).

j. **Per claim 27 [renumbered Claim 28], *Phillips et al* and *Howard et al*** teach the system of claim 21, *Howard et al* further teach the system wherein the user information comprises document data, the system further comprising: a document module adapted to retrieve and display document data associated with the user for access by selected ones of the other users (col.1 lines 50-61, col.4 lines 35-42, col.6 lines 40-60).

k. **Per claim 32, *Phillips et al* and *Howard et al*** teach the system of claim 28, *Howard et al* further teach the system wherein the user information is shared by the user at a first time and accessed by the respective other user at a different time for collaborating on an aspect of the user information (col.1 lines 50-55, col.13 lines 59-65).

l. **Per claim 33, *Phillips et al* and *Howard et al*** teach the system of claim 28, *Howard et al* further teach the system of claim 28, wherein the user defines a user-centric team based on the relationship information, the user-centric team comprising one or more other users with whom the user shares a unique association (col.5 lines 35-50, col.12 lines 3-56, col.13 lines 59-67).

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5. Claims **5, 22[23], 29 and 30** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Phillips et al* (USPN 6,922,784) and *Howard et al* (USPN 6,697,865) in view of *Berckmans* (USPN 6,876,981).

a. **Per claim 22 [renumbered Claim 23]**, *Phillips et al* and *Howard et al* teach the system of claim 21 as applied above. Although, *Howard et al* does teach shareholders being actual users of the system (col.4 lines 60-65); *Howard et al* fail to explicitly teach the system comprising an account module adapted to acquire the financial account information from a remote investment brokerage database and to display the financial account information comprising a list of investment assets and associated costs bases. However, *Berckmans* teaches a web server accessing an investment server, wherein financial data is cross-referenced with client accounts and is sent to the client's device for display of their investments, stock, bonds, assets along with tallied trading metadata (col.3 line 58-col.4 line 65, col.5 lines 53-63, col.8 lines 37-66).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Phillips et al* and *Howard et al* with *Berckmans* for the purpose of providing users with financial data retrieved from an investment server; because it would allow the shareholders and other users of the system access to financial data and assets for analysis and planning, furthermore allowing users to make such data accessible to those with appropriate access permission.

b. **Per claim 23 [renumbered Claim 24]**, *Phillips et al* and *Howard et al* with *Berckmans* teach the system of claim 22, *Berckmans* further teaches the system comprising a quote server interface for interacting periodically with a stock quote server to retrieve real-time

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value information related to the investment assests; and wherein the account module is adapted to calculate evaluation data calculated from the investment account information using the retrieved value information (col.3 line 64-col.4 line 9, col.4 lines 44-65, col.5 lines 18-31).

c. **Claims 5, 29, 30** are substantially similar to claim 23[24] and are therefore rejected under the same basis.

6. Claims **24[25] and 25[26]** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Phillips et al* (USPN 6,922,784), *Howard et al* (USPN 6,697,865) and *Berckmans* (USPN 6,876,981) in view of *Barton, III et al* (USPN 6,026,381).

a. **Per claim 24 [renumber Claim 25]**, *Phillips et al* and *Howard et al* with *Berckmans* teach the system of claim 22 as applied above. However, *Phillips et al* and *Howard et al* with *Berckmans* fail to explicitly teach the system wherein the user comprises a financial advisor for a plurality of client users, wherein the account module is adapted to display the financial account information for each of the plurality of client users to the financial advisor on a single page. However, *Barton, III et al* teach display of customers and account data to brokers and users in a financial institution using a position database, which comprises the financial account and investment information of users (col.8 lines 10-col.14 line 67, col.25 lines 43-63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Phillips et al*, *Howard et al* and *Berckmans* with *Barton, III et al* for the purpose of allowing financial advisors or employees of a financial institution to access the account information of the client users. It is well-known and obvious to provide advisors/employees access to data pertaining to their customers.

b. **Per claim 25 [renumbered Claim 26],** *Phillips et al*, *Howard et al* and *Berckmans* with *Barton, III et al* teach the system of claim 24[25], *Berckmans* further teach the system wherein selected assets within the financial account information are highlighted by the account module based on a change in a value of the asset over a predetermined period of time (col.6 lines 15-50).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: *Plasek et al* (USPN 6,768,985), *Hayes, Jr.* (USPN 6,105,063), *Teper et al* (USPN 5,815,665), *Hawkins et al* (USPN 6,029,146), *Gilmour et al* (USPN 6,115,709), *Reed* (USPN 6,757,710) and *Zhou et al* (USPN 6,856,989).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER